

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

DERRICK USSERY

PETITIONER

V.

CIVIL ACTION NO. 3:14cv605 DPJ-FKB

WARDEN MOSLEY

RESPONDENT

ORDER

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge, after referral of hearing by this Court. Magistrate Judge F. Keith Ball recommended denial of Ussery's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Court, having fully reviewed the unopposed Report and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

Petitioner is challenging a disciplinary proceeding in which he was found guilty of refusing to give a urine sample in violation of disciplinary code 110, as well as his resulting loss of good-time credit. On August 11, 2015, Judge Ball issued a recommendation that relief be denied and the petition be dismissed. Petitioner was directed to file written objections to the recommendation within fourteen days. This deadline has now past, and, to date, Petitioner has not filed any objections with the Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge F. Keith Ball be, and the same is hereby, adopted as the finding of this Court, and the same entire action should be dismissed with prejudice.

A separate judgment will be entered herein in accordance with the Order as required by Rule 58 of the Federal Rules of Civil Procedure.

**SO ORDERED AND ADJUDGED** this the 11<sup>th</sup> day of September, 2015.

*s/ Daniel P. Jordan III*  
UNITED STATES DISTRICT JUDGE